

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA (ERIE)


IN RE:	)	Bankruptcy Case No. 20-10329-TPA
	)	
JOHN L. PETERSON,	)	
	)	Chapter 13
Debtor	)	
	)	Docket No. 47
ALLY BANK serviced by ALLY	)	
SERVICING LLC,	)	
	)	
Movant	)	
	)	
v.	)	
	)	
JOHN L. PETERSON, JAKE R.	)	
PETERSON, and RONDA J.	)	
WINNECOUR, ESQUIRE,	)	
TRUSTEE,	)	
	)	
Respondents	)	

**ORDER**

*AND NOW*, this 7th day of April, 2021, upon consideration of the foregoing Motion for Relief from Automatic Stay and Co-Debtor Stay (the “Motion”) filed by the Movant, Ally Bank, serviced by Ally Servicing LLC (“Ally”), and after notice and hearing as appropriate if any, it appearing that the Debtor, John L. Peterson, and the Co-Debtor, Jake R. Peterson, are parties to a Retail Installment Sale Contract with Ally (the “Contract”), that as security for the Contract, Ally was granted a security interest in the Debtor’s 2016 Chevrolet Silverado (the “Vehicle”), that Ally’s lien is noted on the Pennsylvania Title to the Vehicle, that the Debtor and Co-Debtor are in default under the terms of the Contract for failing to make payments when due including post-Petition, that the Vehicle is not necessary for an effective reorganization of the Debtor, that the Debtor’s Chapter 13 Plan fails to provide for payments to Ally which were to be made independently by Jake R. Peterson, that Ally lacks adequate

protection of its interests in the Vehicle, and that cause exists for granting the Motion, it is therefore

**ORDERED, ADJUDGED** and **DECREED** that the Motion is **GRANTED**. Ally is granted relief from the Automatic Stay (11 U.S.C. §362) and from the Co-Debtor Stay (11 U.S.C. §1301) to exercise its state law rights against the Vehicle and the non-bankrupt co-owner of the Vehicle, including but not limited to, repossession, sale, etc.



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Judge Thomas P. Agresti **ljm**  
United States Bankruptcy Court

# 2238185.v1

In re:  
John L. Peterson  
Debtor

Case No. 20-10329-TPA  
Chapter 13

## CERTIFICATE OF NOTICE

District/off: 0315-1  
Date Rcvd: Apr 07, 2021

User: dkam  
Form ID: pdf900

Page 1 of 2  
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Apr 09, 2021:

Recip ID	Recipient Name and Address
db	+ John L. Peterson, 85 Long Hill Rd., Hadley, PA 16130-1407

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

## BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

## NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Apr 09, 2021

Signature: /s/Joseph Speetjens

## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on April 7, 2021 at the address(es) listed below:

Name	Email Address
Brian Nicholas	on behalf of Creditor U.S. Bank National Association as indenture trustee, for the holders of the CIM Trust 2017-3, Mortgage-Backed Notes, Series 2017-3 bnicholas@kmlawgroup.com
David J. Graban	on behalf of Debtor John L. Peterson graban@verizon.net
Mark G. Claypool	on behalf of Creditor Ally Bank serviced by Ally Servicing LLC mclaypool@kmgslaw.com knoxbank@hotmail.com;chartle@kmgslaw.com;aklus@kmgslaw.com
Office of the United States Trustee	ustpregion03.pi.ecf@usdoj.gov
Ronda J. Winnecour	cmecf@chapter13trusteedpa.com
Sarah Barngrover	

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User: dkam

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Total Noticed: 1

on behalf of Creditor Wells Fargo Bank N.A. d/b/a Wells Fargo Auto amps@manleydeas.com

Stephen Russell Franks

on behalf of Creditor Wells Fargo Bank N.A. d/b/a Wells Fargo Auto amps@manleydeas.com

TOTAL: 7